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SUBJECT: ZAMBIAN ELECTIONS: A RELATIVELY LEVEL, BUT ROCKY,  
PLAYING FIELD

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Classified By: Ambassador Donald E. Booth, reasons 1.4, b/d.

I1. (C) Summary: With a scant two weeks before the October 30 elections, political parties, civil society, the media, and government are turning up the volume for the scramble toward the finish line. Accusations of "vote-buying" abound, albeit with minimal evidence to support claims that what has transpired has crossed over from inappropriate to criminal. The election is certainly the ruling party's to lose, as the Acting President and Movement for Multiparty Democracy (MMD) candidate Rupiah Banda has submitted to populist, but economically inadvisable, pressures by lowering fuel prices, increasing fertilizer subsidies, and promising more of the same. But leading opposition candidate, the Patriotic Front's Michael Sata, is not immune from similar accusations, as he apparently promises to provide FREE fertilizer to farmers and to convert car loans for tribal chiefs into grants if voted into office. United Party for National Development (UPND) candidate Hakainde Hichilema (known as HH) has published a platform promising a business-driven approach to Zambia's economic problems, a platform in which voters have shown virtually no interest. Media bias is evident but cuts both ways (for PF and MMD, ignoring HH almost entirely) and flaws in the Electoral Commission of Zambia's (ECZ) procedures are legion but appear to amount to incompetence rather than conspiracy. Contrary to a very peaceful, some say passive, Zambian tradition, the main opposition parties are warning of unrest if the GRZ "rigs the election," ominously adding that Banda could not possibly win a fair race. Embassy will be watching closely to see if the population is motivated by these incitations. End Summary.

The Thin, Gray Line Between Government and MMD

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I2. (C) Although the Zambia Electoral Code of Conduct of 2006 prohibits use of Government transport for campaign purposes, it "does not apply to use by the President or Vice President in connection with their respective offices." Some contacts believe the MMD is flaunting this guideline, noting that Banda's U.S. and British image consultants arrived at a rally in a Ministry of Health vehicle. Even legitimate government expenditures are difficult to track in Zambia, however, so evidence of illegitimate expenditures would be nearly impossible to expose. Minister of Lands Bradford Machila told PolEconOff that each MMD minister is responsible for campaigning for Banda in his/her home constituency, but noted the process for requesting reimbursement from MMD coffers is so difficult that he chooses to use his own resources. The

Code of Conduct also prohibits offering inducements to voters, but distributions of T-shirts, traditional printed cloth (chitenge) with party logos, and occasionally corn meal are fairly commonplace and are expected by the electorate from all parties. The Code likewise requires the police to act with neutrality, but an October 16 headline in "The Post" claims that the police tried to prevent a Sata rally "for security reasons," implying (without offering evidence) that Banda was using security resources to stifle opposition.

¶3. (C) The Anti-Corruption Commission (ACC) has been running quarter-page ads in a government-sponsored broadsheet noting that "Giving gifts, money, or food during election campaigns is corruption" and asking voters to call a toll free line to report suspected cases. We are not aware of any of these accusations gaining traction. While the ACC seems to limit its mandate to cases of gifts and bribery, the ECZ seems too overwhelmed with the task of conducting a by-election on ten weeks notice to conduct investigations on improprieties that may fall in its domain, e.g. MMD use of government resources.

Media Bias for Everyone!

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¶4. (C) The Zambian media, not known for high quality in the best of circumstances, cannot be relied upon to investigate accurately claims of impropriety or corruption before publishing them. Furthermore, all newspapers have their own agendas. A recent survey of the two government-supported broadsheets in Lusaka, "The Times" and "The Daily Mail," revealed that both papers posted headlines supportive of Banda and/or his policies on a daily basis. The government-supported national TV channel, ZNBC, is equally unapologetic in its support of Banda, and, to add bad taste to bias, shows a four-to-five minute music video about Banda every night after the news broadcast. The privately owned "The Post," on the other hand, for weeks has waged an overt war on Banda, in support of Michael Sata, nearly landing its editor in jail for defamation of character. Only HH seems to be treated the same by both sides of journalism, getting equally negligible, although not necessarily negative, press in all three papers.

Try as it Might, the ECZ Just Can't Please

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¶5. (C) Meanwhile, the ECZ valiantly tries to pull together a by-election on ten weeks notice, but seems oblivious to the importance of "presentation" and the negative perceptions emerging as a result. The ECZ has made little effort to explain why 600,000 extra ballot papers have been printed, other than to say the ballot papers are printed in books of 50, so each of Zambia's 10,000 voting streams could have as many as 49 extra ballots when the numbers are rounded up to the nearest 50. But opposition parties point out that explanation only accounts for 490,000 extra ballots. These critics argue that the use of the 2006 voter registration rolls means those who have turned 18 years old since 2006, as well as anyone who has lost their voter card since 2006, cannot vote. Because 100 percent turnout is next-to-impossible, so many extra ballots seem unnecessary. (The NGO Anti-Rigging Zambia ((ARZ)) brought a case against the ECZ requesting that it compile a new registry to avoid disenfranchising possibly 3-400,000 people or more, but the High Court dismissed the case, agreeing with the ECZ that such a task was impracticable given the short timeframe and limited resources with which ECZ is forced to operate.) The PF and UPND are making hay of the ECZ's missteps. When party agents arrived at the airport to witness the arrival of the ballot papers and noted that the papers were divided into two shipments, they cried foul, arguing (weakly) that the ECZ divided the ballots into two shipments to make them harder to track. When the ballot boxes arrived October 15, PF cadres demanded that the extra papers should be burned right at the airport before they could be distributed. MMD representatives discovered PF agents disguising themselves as ECZ officials and addressing election monitors. When they turned the PF agents over to the police, a scuffle ensued

among MMD, PF and UPND members, nearly resulting in fisticuffs. Only the Heritage Party remained out of the fray, illustrative of its relevance (or rather lack thereof) in the election.

¶6. (C) The parties then came to an agreement to distribute the extra ballots to the districts "just in case" (but not to the polling stations), beginning October 20 after draft rules could be gazetted. The PF Secretary General Edward Mumbi confirmed to us October 17 that PF has since withdrawn its agreement to this solution after discovering a district official loading unverified ballots October 16 into a government vehicle for transport to Kalabo district. PF has gone to the High Court to seek an injunction against ECZ distribution of any extra ballot papers until security measures are put into place.

¶7. (C) The parties were no better behaved at an October 10 meeting with the ECZ, at which ECZ officials seemed unprepared and not very articulate. A United Nations Development Program (UNDP) readout of the event says the meeting was "characterized by general suspicion" with unsubstantiated allegations leveled by all sides and participants whose main goal appeared to be causing disruption. Some participants, particularly UPND, resorted to issuing threats that they would urge their cadres to pursue violent behavior if their proposals were not adopted (comment: language inciting violence is also against the Code of Conduct).

MMD in a Panic?

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¶8. (S/NF) The PF claims that MMD is in a panic over the possibility that it might lose for the first time since its creation in 1991, basing this assertion on reports that Banda has hired British and American image consultants to counter his lack of charisma. Minister of Lands Machila told PolEconoff that MMD is concerned about voter apathy and lack of turnout given the seasonal heat. This concern is fueled by MMD's belief that PF is flush with money. Sensitive reporting indicates that Banda's presidential campaign is internally fractured, that Banda's senior advisors harbor significant concerns that the campaign is stalled, and that senior MMD officials believe Sata's chances of victory are real and growing. The internal security service likewise appears concerned that Banda may not carry the day, although most indications suggest the security service is not intent on interfering with the election.

10 (C) On the other hand, according to Machila, MMD does not consider UPND a threat. Lack of polling data makes gauging candidates' popularity difficult, but with MMD's long history and its ability to implement populist incentives such as lower fuel prices and higher fertilizer subsidies on the eve of the election, while opposition parties can only promise such things, it would seem the momentum is with Banda.

¶11. (C) Well connected embassy sources in the provinces say PF is gaining ground in Luapula and Northern Provinces, primarily because of MMD's poor relations with the local chiefs stemming partially from a High Court decision that nullified a local election due to undue influence by local chiefs. The decision was seen as an affront to the chiefs themselves on the part of the ruling MMD, whose losing candidate pursued the court case. An informal survey of people in Central Province also indicated they were changing their allegiance from MMD to PF because they hoped PF would provide the promised jobs that Mwanawasa could no longer deliver. PF is also thought to be gaining ground in Western Province, where the influential Lozi chief has complained that MMD has expended huge amounts of public funds "constructing" the Mongu-Kalabo Road, with nothing tangible to be seen for it.

¶12. (C) Machila also deemed it unlikely there would be a large cabinet reshuffle if Banda wins. Furthermore, he believed Finance Minister Magande, the Zambian darling of the

IMF, would stay on, despite Magande's challenging Banda for the MMD nomination. In a September meeting with the Charge (ref D), Magande unreservedly lambasted Banda, but did so without other Zambian officials being present.

Possibility of Violence Remote, but not for Lack of Trying

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¶13. (C) Despite MMD's apparent lack of concern about UPND. the feeling is not mutual. At the October 10 meeting with the ECZ, the UNDP report says "UPND continuously threatened violence" and an October 15 article in "The Post" reported that "UPND Warns of Instability if MMD rigs October 30 Election." A UPND official said MMD had stolen the elections in 2001 and 2006 and that "In 2008, we must be ready to die in defense of our vote. UPND is ready. Banda can only win a rigged election. They are going to see different Zambians this time. UPND has crossed the Rubicon." A UPND cadre told PolEconoff that such rhetoric was designed to stir interest in voting. PF leader Michael Sata has said he will not stop violence if fraud is suspected; already a bit long in the tooth, he may see this election as his last chance at the presidency. Scattered sensitive reports about small arms entering the country intended for Sata partisans and possible political intervention by the Zambian military in response to a Sata victory thus far appear unsubstantiated.

A Foreign Policy-Free Zone

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¶14. (C) Lacking in all the hoopla is virtually any reference by any candidate to foreign policy. The candidates have avoided any discussion of former President Mwanawasa's tough stance on Zimbabwe and their own views on the situation there. In one exceptional and opportunistic foreign policy turn, Sata abandoned his embrace of Taiwan and his criticism of Chinese investment and was photographed with both arms around Chinese businessmen saying he would welcome Chinese and other foreign investment (noting later that he would require a 25 percent Zambian stake in any foreign investments).

Comment

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¶15. (C) There is certainly no shortage of irregularities in the lead-up to this election, but they are due at least as much to lack of capacity as ECZ partisanship. Skepticism of the government and the ruling party is rampant at the best of times, and opposition parties are going to play that tune in the hopes of motivating what appears to be a fairly apathetic electorate. The perception that the ECZ is purposely or inadvertently paving the way for another MMD victory is undoubtedly raising tensions among opposition parties who see the MMD further perpetuating itself, ironically, as the only viable political party since the dissolution of the one-party state in 1990. Whether or not historically peaceful Zambians will answer the opposition's call to arms if an MMD victory seems contrived remains doubtful. Both the 2001 and 2006 elections were less than perfect and passed relatively peacefully, so anything other than sporadic violence in 2008 would reflect deeper dissatisfaction with the status quo among Zambians than has been evident to us to date.

BOOTH